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Attorneys for Defendant  
The Paul Revere Life Insurance Company

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

GORDON R. OSBORN, D.D.S.,

Plaintiff,

v.

THE PAUL REVERE LIFE  
INSURANCE COMPANY; and DOES  
1 through 10, inclusive,

Defendants.

Case No. 1:21-cv-00842-BAK (EPG)

**JOINT MID-DISCOVERY STATUS  
REPORT**

**Mid-Discovery Status Conference**

Date: January 19, 2022

Time: 10:00 am

Ctrm: Via Telephone

Plaintiff Gordon R. Osborn, D.D.S. and Defendant The Paul Revere Life Insurance Company submit their Joint Mid-Discovery Status Report, pursuant to this Court's August 18, 2021 scheduling order.

**Discovery to Date**

The parties have been diligent in conducting discovery. Both parties have made their Rule 26(a) Initial Disclosures and propounded and responded to written discovery. The parties are meeting and conferring on multiple issues on the discovery responses, which may necessitate judicial intervention. The parties are also meeting and conferring to schedule witness deposition dates for mid-February

2022.

The parties participated in private mediation with Ed Oster, Esq. on December 7, 2021, but the case did not resolve. The parties held off on conducting depositions until after the mediation, in an effort to preserve party resources, but when no settlement was reached began discussing deposition scheduling.

### **Anticipated Discovery**

Plaintiff anticipates deposing Defendants agents and employees, including:

- Dr. Joseph Antaki;
- Dr. Gabriel Anders;
- Erin Moore;
- Matthew Masny;
- the FRCP 30(b)(6) witness re: development of the COVID 19 Disability Analysis;
- the FRCP 30(b)(6) witness re: the investigation and evaluation of the claim;
- the FRCP 30(b)(6) witness re: the denial of the claim.

Defendant anticipates deposing:

- Plaintiff and his wife;
- Plaintiff's treaters;
- Plaintiff's prior office manager.

Both sides reserve the right to conduct additional depositions as additional witnesses are identified during the course of discovery.

### **Brief Continuance**

The parties have diligently pursued discovery. However, given the ongoing meet and confer efforts, and the likelihood of having to seek juridical intervention to resolve discovery issues, the parties anticipate requesting a 120-day continuance of the dates in the Scheduling Order. This extension will allow the parties to

1 complete fact and expert discovery, while also continuing to engage for potential  
2 resolution of the dispute.

3  
4 DATED: January 12, 2022

DONAHUE & HORROW, LLP

5 By: *s/Scott Calvert*  
6 *[as authorized on January 12, 2022]*

7 MICHAEL B. HORROW

8 SCOTT E. CALVERT

9 Attorneys for Plaintiff

10 Gordon R. Osborn, D.D.S.

11 DATED: January 12, 2022

BURKE, WILLIAMS & SORENSEN, LLP

12 By: *s/ Karen Tsui*

13 DANIEL W. MAGUIRE

14 KAREN T. TSUI

15 Attorneys for Defendant

16 The Paul Revere Life Insurance Company